

BILL NO. Z-69-03- 32

ZONING MAP ORDINANCE NO. Z- 78-69

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A-11.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. A-11 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Tract 150 x 136.4 feet at Southeast corner of North Clinton Street and Dalgren Avenue in the City of Fort Wayne, being tract bounded by North Clinton on the West, Dalgren Avenue on the North, the first alley East of North Clinton on the East, and the first alley South of Dalgren Avenue on the South.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

APPROVED AS TO FORM
AND LEGALITY

CITY ATTORNEY

Thomas J. Adams

Read the first time in full and on motion by Rousseau seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 196 9, at _____ o'clock, ~~P.M., E.S.T.~~

Date: 3-25-69

Fuad G. Bonahoom
City Clerk

Read the third time in full and on motion by Rousseau seconded by Robinson and duly adopted, placed on its passage.
Passed (~~lost~~) by the following vote:

AYES	<u>7</u>	NAYS	<u>2</u>	ABSTAINED	____	ABSENT	____	to-wit:
Adams	<u>✓</u>							
Dunifon	<u>✓</u>							
Fay	<u>✓</u>							
Geake	<u>✓</u>							
Nuckols	<u>✓</u>							
Robinson	<u>✓</u>							
Rousseau	<u>✓</u>							
Steigerwald	<u>✓</u>							
Tipton		<u>✓</u>						

Date 7-22-69
~~4-8-69~~

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 2-78-69

on the 22nd day of July, 196 9.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Herbert H. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 196 9 at the hour of 8:30 o'clock 4.M.,E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 24th day of July, 196 9, at the hour of 10:30 o'clock A.M.,E.S.T.

Harold S. Zeis
Mayor

Hold
July 15, 1969
Hold
500

Bill No. Z-69-03-32

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. A-11,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

EDWIN J. ROUSSEAU, Chairman

JOHN H. ROBINSON, Vice-Chairman

THOMAS G. ADAMS

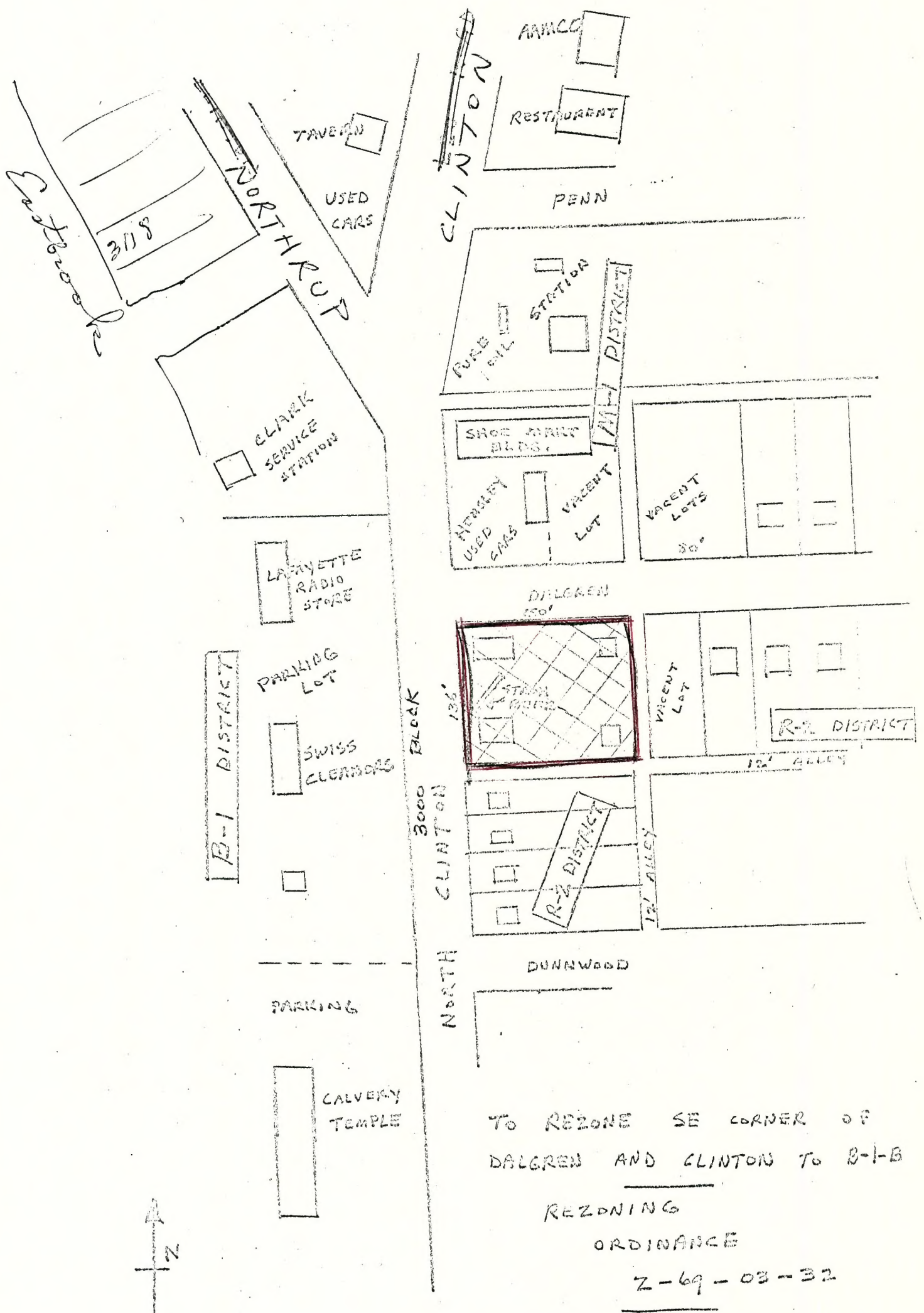
JACK K. DUNIFON

PHIL A. STEIGERWALD

Edwin J. Rousseau
John H. Robinson
Thomas G. Adams
Jack K. Dunifon
Phil A. Steigerwald

CONCURRED IN
DATE 7-22-69 FUAD G. BONAHOOM, CITY CLERK

RE: Ordinance #Z-69-03-32 to Rezone
Tract at Southeast Corner of Dalgren
and Clinton from R2 to BIB Use.



SCALE 1 INCH = 100 FEET

IMPROVEMENT OF NORTH CLINTON STREET

According to Mr. Lee Rush, District Engineer in charge of the Indiana State Highway Office at Fort Wayne, and Mr. Arthur Tebbe, Engineer in charge of the Construction Division of the State Highway Office on Hatfield Road, the following are the plans for development of North Clinton Street:

1. From the approximate intersection of Northrup and Clinton Street South, including the 3000 block between Dalgren and Dunwood, North Clinton is to have the following dimensions:

- (a) Total right of way width - 80 feet;
- (b) 2-thru lanes North - 12 feet each;
- (c) 2-thru lanes South - 12 feet each;
- (d) A center median strip raised 9 inches, running from 4 feet to 16 feet in width, with a center lane for left turns at street intersections;
- (e) Present pavement to be used and added to;
- (f) 2 ft. wide curbs and gutters (curbs raised 9 inches) on each side of the street;
- (g) 5 ft. sidewalks abutting each curbline;
- (h) Total width of improved street measured from outside curb lines - 68 feet;
- (i) Total width of improved street and sidewalks measured from outside curb lines - 78 feet;

2. To secure 80 ft. right of way, 15 feet is to be condemned on each side of present Clinton right of way of 50 feet. (NOTE: In some blocks, Clinton is 55 feet wide, in which event an additional 10 feet would be condemned on the side which is now 30 feet).

3. Traffic Count. Upwards of 28,000 cars per day now use this section of North Clinton.

4. Donation of 15 ft. right of way. If the City Council rezones the North half of the block fronting on the East side of North Clinton Street between Dalgren and Dunwood, Cheker Oil Company will deliver an executed deed for the additional 15 ft. right of way for this half block for the proposed widening of Clinton Street.

5. The preliminary report of the Fort Wayne District Office of the State Highway Commission for the above widening and improvement of Clinton Street has been prepared and forwarded to the Mayor; the Board of Works; Three Rivers Co-Ordinating Council; State Highway Commissioner, James Dumas, and the Indiana State Highway Office, as of July 11, 1969, and plans for this improvement are now progressing.

6. Both Messrs. Rush and Tebbe have advised that the donation of the 15 ft. strip by Cheker Oil Company will aid in the widening of Clinton Street (as this land will be acquired by the State without cost for the project) and that the rezoning of the tract for a Cheker Oil Station will not in any way adversely affect the acquiring of other right of way, as all of the frontage on the land being rezoned is being given to the State for the widening of the street.

WARRANTY DEED

This indenture witnesseth that CHEKER OIL COMPANY, an Illinois corporation,

of Cook County in the State of Illinois

Conveys and warrants to CITY OF FORT WAYNE

of Allen County in the State of Indiana

for and in consideration of One (\$1.00) Dollar and other good and valuable consideration the receipt whereof is hereby acknowledged, the following Real Estate in Allen County in the State of Indiana, to wit:

The West fifteen (15) feet of the tract located at the Southeast corner of North Clinton Street and Dalgren Avenue in the City of Fort Wayne, said tract being bounded by North Clinton Street on the West, Dalgren Avenue on the North, the first alley East of North Clinton Street on the East, and the first alley South of Dalgren Avenue on the South.

The grantor executes this deed for the widening of Clinton Street, and retains the right to possession and use of said fifteen (15) foot strip until said strip is needed for the widening of said street.

State of ~~Indiana~~, Illinois, Cook County, ss:

Before me, the undersigned, a Notary Public in and for said County and State, this 18th day of June, 1969, personally appeared:

CHEKER OIL COMPANY, by Richard P. Small, its President, and by James L. Stenitt, its Secretary,
STERNITT
J.

Dated this 18th Day of June, 1969

CHEKER OIL COMPANY,

By Richard P. Small Seal
(Richard P. Small) its President

By James L. Stenitt Seal
(James L. Stenitt) its Secretary
STERNITT

Seal

Seal

Seal

Seal

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires May 7 1972

Eugene E. Hawkins
(Eugene E. Hawkins) Notary Public

\$ 25⁰⁰

March 5

1969 No.

RECEIVED OF

Hoffman, Moppert, & Salomon

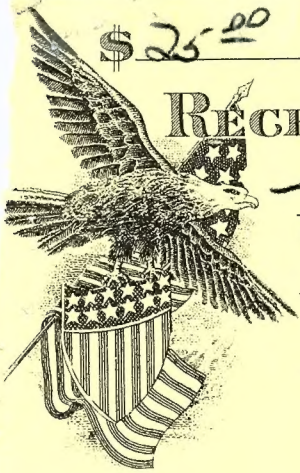
Twenty-Five and ⁰⁰/₁₀₀

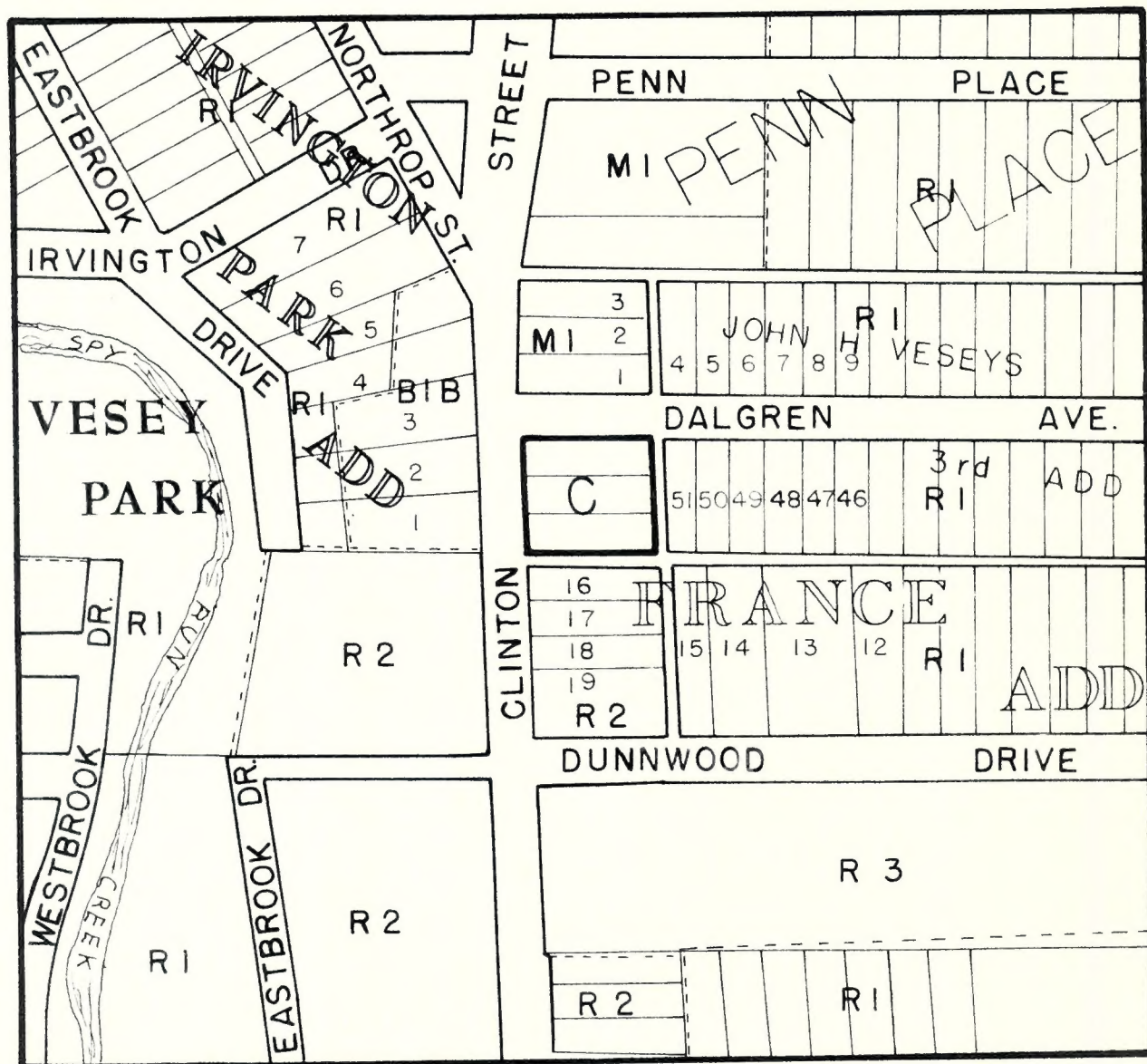
DOLLARS

Re-zone Petition

By

K.S. Disler





C CHANGED FROM R-2 TO B-1-B .

Z-69-03-32



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 25, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-03-32; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

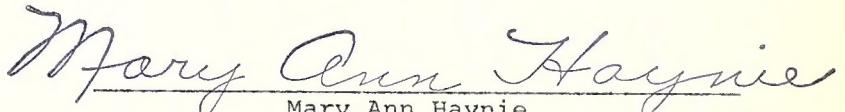
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 21, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 28, 1969.

Certified and signed this
2nd day of May 1969.


Mary Ann Haynie
Secretary

PETITION TO REZONE

We, the undersigned, being the owners of more than fifty-one (51) percent of the real estate hereinafter described, do hereby respectfully petition the Common Council to enact an ordinance to reclassify from ~~xx~~an "R-2" District to a/~~xx~~ "B-1-B" District, the real estate described as follows, to-wit:

Tract 150 x 136.4 feet at Southeast corner of North Clinton Street and Dalgren Avenue in the City of Fort Wayne, being tract bounded by North Clinton on the West, Dalgren Avenue on the North, the first alley East of North Clinton on the East, and the first alley South of Dalgren Avenue on the South.

Dated this 28th day of February, 1969.

Dorothea J. Snow
(Dorothea J. Snow) Administratrix of the
Estate of William E. Johnston
(Owner of North 44.2 feet of tract)

x Elmer L. Davis
(Elmer L. Davis)

x Anne E. Davis
(Anne E. Davis)
(Owners of middle 44.2 feet of tract)

x Ben Justice
(Ben Justice)

x Catherine Justice
(Catherine Justice)
(Contract purchasers of South 48
feet of tract)

Common Council, City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head number of lines	-
Body number of lines	74
Tail number of lines	1
Total number of lines in notice	75

COMPUTATION OF CHARGES

75 lines, columns wide equals equivalent lines at 288¢ cents per line	\$ 21.60
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	\$ 21.60

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5½ point
Number of insertions 2	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date August 11, 1969

Title CLERK

Notice is hereby given that on the 22nd day of July, 1969, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map Ordinance, to-wit:
Bill No. Z-69-03-32
ZONING MAP ORDINANCE NO. Z-78-69
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-11.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836, and the symbols on the City of Fort Wayne Zoning Map No. A-11 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:
Tract 150 x 136.4 feet at Southeast corner of North Clinton Street and Dalgren Avenue in the City of Fort Wayne, being tract bounded by North Clinton on the West, Dalgren Avenue on the North, the first alley East of North Clinton on the East, and the first alley South of Dalgren Avenue on the South.
SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.
THOMAS G. ADAMS, Councilman
Read the third time in full and on motion by Rousseau seconded by Robinson

and duly adopted, placed on its passage. Passed by the following vote:
Ayes, seven—Adams, Dunifon, Geake, Nuckols, Robinson, Rousseau, Steigerwald
Nays, two—Fay and Tipton.
Dae: 7-32-69
FUAD G. BONAHOOM, City Clerk
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1969 at the hour of 8:30 o'clock A.M., E.D.T.
FUAD G. BONAHOOM, City Clerk
Approved and signed by me this 24th day of July, 1969, at the hour of 10:30 o'clock A.M., E.D.T.
1, Fuad G. Bonaohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Zoning Map Ordinance No. Z-78-69 passed by the Common Council on the 22nd day of July 1969, and that said Ordinance was duly signed, and approved by the Mayor on the 24th day of July, 1969 and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of July, 1969.
FUAD G. BONAHOOM, City Clerk
7-31; 8-7

DAVIT

me, a notary public in and for said county and state, the
RVILLA DEWALD who, being duly sworn, says
CLERK of the
-GAZETTE
newspaper of general circulation printed and published
the city of FORT WAYNE, INDIANA
town of
id, and that the printed matter attached hereto is a true copy,
n said paper for 2 time s, the dates of publication being
July 31, 1969
August 7, 1969
before me this 11th day of August 1969
Edith Stapleton
Notary Public

My commission expires March 8, 1970

Common Council-City of Ft.Wayne
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

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Body number of lines	74
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Total number of lines in notice	75

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75 lines,.....columns wide equals.....equivalent lines at.....288¢	\$ 21.60
cents per line	
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	\$ 21.60

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Number of insertions.....2.....	Size of quad upon which type is cast.....5½.....

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date August 11, 19 69

Title.....Clerk

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SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

THOMAS G. ADAMS, Councilman
Read the third time in full and on motion by Rousseau seconded by Robinson and duly adopted, placed on its passage. Passed by the following vote: Yeas, seven—Adams, Duffin, Geake, Nuckols, Robinson, Rousseau, Steigerwald. Nays, two—Fay and Tipton.

Daes: 7-27-69
FAUD G. BONAHOOM, City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-78-69 on the 22nd day of July, 1969.
ATTEST: FUAD G. BONAHOOM, City Clerk

HERBERT G. TIPTON, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1969 at the hour of 8:30 o'clock A.M., E.D.T.

FUAD G. BONAHOOM, City Clerk
Approved and signed by me this 24th day of July, 1969, at the hour of 10:30 o'clock A.M., E.D.T.

1, Fuad G. Bonaohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Zoning Map Ordinance No. Z-78-69 passed by the Common Council on the 22nd day of July 1969, and that said Ordinance was duly signed, and approved by the Mayor on the 23rd day of July, 1969 and now re-

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

July 31, 1969

August 7, 1969

A. M. Hostman

Subscribed and sworn to before me this 11th day of August 19 69

Edith Stapleton

Notary Public

My commission expires March 8, 1970